

Historic Resources Commission Meeting Minutes of March 13, 2013

Members Present: Hillary Cole, David Carpenter, Pat Cothran, J. Ray Elingburg, David Nutter, Tracey Rizzo, Brendan Ross, Jo Stephenson

Members Absent: Ashley Black, Nan Chase, Brian Cook, Capi Wampler

Staff: Stacy Merten, Peggy Gardner, Jannice Ashley

Public: Karen Morrison, Jane Mathews, Rose Bartlett, David Patterson, Jeanette Syprzak, Bryan Lemmel, Diana Bellgowan, Michael McDonough

Call to Order: Chair Cole calls the meeting to order at 4:03 pm with a quorum present.

Adoption of Minutes: Commissioner Nutter moves to adopt the February 13, 2013 minutes as written.
Second by: Commissioner Ross
Vote for: ALL

Consent Agenda:

None

Public Hearings:

Agenda Item

Owner/Applicant: Rose Bartlett/Jane Mathews
Subject Property: 211 Charlotte Street
Hearing Date: March 13, 2013
Historic District: Albemarle Park
PIN: 9649.64-2638
Zoning District: CB-I
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten explains original openings for windows on the east and south side were discovered in the construction process of a previous project. She passes around revised specifications for the windows, explaining there were vinyl examples in the packets, but the windows will be wood. She reviews the following staff report.</p> <p>Property Description: Snug Harbor – A two story half timber and shingle cottage with of asymmetrical plan with grouped windows and corner porch. House has walk out basement and brick foundation with stone accents. @1914.</p> <p>Certificate of Appropriateness Request: Install four new wood, SDL, 6 over 1 windows in original openings found during interior demolition. All permits, variances, or approvals as required by law must be obtained before work may commence.</p>
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	<p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <ol style="list-style-type: none"> 1. Please clarify the material for the mullions. 2. Revised window specifications should be submitted. <p>The guidelines for Repair and Remodeling Work and Façade Identification found on pages 23-25 and Windows and Doors found on page 29 in the Design Review Guidelines for the Albemarle Park Historic District were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval with concerns as noted.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. The restoration of original architectural features is strongly encouraged.
Applicant(s)	<p>Jane Mathews, architect, says the window mullions will be wood 6½” board flush with the window frame. She describes how they found the windows during construction. She realized after the fact the stucco presented clues to the openings, but hadn’t noticed until they uncovered them. She notes the adjacent house has similar windows.</p> <p>They have not chosen the brand for the windows, but they will be SDL 7/8” wood, typical finish.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioners thank the owner and architect for finding and reviving the original windows.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – four photographs of original openings; Exhibit B – four photographs of exterior facades; Exhibit C – first floor plan; Exhibit D – south elevation showing proposed windows; Exhibit E – enlarged plan detail and partial east elevation; Exhibit F – window specifications, Andersen and Ply-Gem; Exhibit G – revised window drawings (*submitted 3/13/13*); Exhibit H – revised window specifications (*submitted 3/13/13*); and the Commission’s actual inspection and review of subject property by all members except Commissioner Cothran;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of February, 2013 and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of February, 2013 as indicated by Exhibits I and J.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources

Commission staff and Commission members.

3. That the application is to install four new wood, SDL, 6 over 1 windows in original openings found during interior demolition, with wood mullions 6½” board flush with window frame. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Repair and Remodeling Work and Façade Identification found on pages 23-25 and Windows and Doors found on page 29 in the Design Review Guidelines for the Albemarle Park Historic District were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The restoration of original architectural features is strongly encouraged.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Ross

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Nutter

Second by: Commissioner Ross

Vote for: ALL

Agenda Item

Owner/Applicant: Sarah Rath/Bryan Lemmel
Subject Property: 276 Cumberland Ave.
Hearing Date: February 13, 2013
Historic District: Montford
PIN: 9649.04-3266
Zoning District: RS-8
Other Permits: Building

Staff Comments	<p>Ms. Merten shows slides of the property and reviews the following staff report. She explains the application is to change the roof form over both the original sun porch, and an added porch to the rear. This is not typical, but there are extenuating circumstances concerning water damage that may make this an exception.</p> <p>Property Description: Early 20th century 2-story gambrel roof Colonial Revival dwelling. Variation of German siding with weatherboards. A symmetrically placed entrance, stylized Palladian motif.</p>
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	<p>Certificate of Appropriateness Request: Construct a new 1.5/12 and 1.75/12 hip roof over top of the existing flat metal roof to correct water intrusion problems. New roof will have an ice and water shield underlayment and architectural shingles in light brown color to match existing. Soffit and fascia detail to match the main house. Replace soffit and fascia as necessary. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements: The sunroom was original to the house and soffit and fascia detailing should be retained where possible.</p> <p>While it is not normally appropriate to alter a roof form that contributes to the overall character and form of a building that is visible from the street, it is staff's opinion that the applicant should have the opportunity to demonstrate how the current configuration of the roof is causing water intrusion problems.</p> <p>The guidelines for Roofs found on pages 74-75, and Wood found on pages 66-67 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff approves of the request with concerns as noted provided the applicant can demonstrate that this is the best alternative to alleviate water problems and retains historic fabric as necessary.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. The addition of a rear porch has exacerbated the water intrusion problems.
Applicant(s)	<p>Bryan Lemmel, owner of Balanced Carpentry, explains the water problem has been caused by the way the porch addition was attached to the side of the sunporch, he points this out on slides. He said he initially looked at a latex rolled product called Hydrostop, to patch the flat sunporch roof, but thought this would only be putting a Band-Aid on the problem. He says the current rubber sheeting is not working, and that the tin parts of the roof have deteriorated. He shows a drawing of the proposed roof, and explains how he determined the 3-hip design. He says he will try to match details on the main house in his design, and has found shingles that will match the current roof. The proposed roof will be installed over the existing flat roof.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Cole questions the shift from metal to architectural shingle. Mr. Lemmel replies he thinks the shingles will tie in with the main house the best, he was not able to find metal examples that seemed appropriate. He used a nearby house with a hip roof over a sunroom to guide his design.

Commissioner Rizzo asks when the main house roof was approved (there are no records of a CA), and wonders if the porch roof should match. Chair Cole notes many historical houses have porch roofs with different material than the main house.

Commissioner Carpenter asks about the date of the house. Ms. Merten says the date is uncertain, it was built in the 1910s or 1920s and the sunroom appears to be original according to Sanborn maps. They agree the extenuating circumstance of the water infiltration justifies the consideration of a form change.

Commissioner Nutter notes the proposed roof will be visible, as opposed to the existing flat roof. He thinks this is argument for the shingles, to match the main structure.

There is discussion about which soffit width would be best to use, 3" like the sunroom's because it is original, or the 6½" of the added screen porch. Ms. Merten notes that additions can have their own significance, showing changes to the structure. She also thinks the functionality of the larger overhang should have more weight in this instance, due to the water infiltration. Commissioner Carpenter agrees. Mr. Lemmel asks to amend his application to a 6½" soffit overhang around the entire roof.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – three photographs of roof and current conditions; Exhibit C – four renderings of proposed roof, showing front elevation, side elevation, view from above and cross section of south slope; and the Commission's actual inspection and review of subject property by all members except Commissioner Cothran;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of February, 2013 and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of February, 2013 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct a new 1.5/12 and 1.75/12 hip roof over top of the existing flat metal roof to correct water intrusion problems. New roof will have an ice and water shield underlayment and architectural shingles in light brown color to match those on main house. Soffit and fascia detail to match the existing porch addition with 6½" overhang. Replace soffit and fascia as necessary. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Porches found on pages 72-73, Roofs found on pages 74-75, and Wood found on pages 66-67 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.as used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The addition of a rear porch has exacerbated the water intrusion problems.
 - b. Material change allowed because the original metal flat roof was not a character defining feature.
 - c. Deteriorated elements are being replaced with regard to size, scale, proportion, material, texture and detail.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Elingburg

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Nutter

Second by: Commissioner Ross

Vote for: ALL

Agenda Item

Owner/Applicant: Lyn Leatherman & Rita Corcoran
Subject Property: 29 Tacoma Street
Hearing Date: March 13, 2013
Historic District: Montford
PIN: 9639.84-7307
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten says most of the issues that came up at the Preliminary Hearing in October 2012 have been resolved. She received a note from a neighbor (Carl Morrison) in support of the design. She shows slides of the subject property and reviews the following staff report.</p> <p>Property Description: Vacant lot at edge of historic district.</p> <p>Certificate of Appropriateness Request: Construct a new 1 ½ story bungalow style new single family residence with front porch, rear screened porch and basement garage per attached approved plans. New structure will have smooth sided horizontal hardi-plank lap siding on first level with staggered shingles in gable above. Foundation will be smooth stucco over concrete block with stone piers under rear both front and rear porches. Roof will be side gabled with a 7.75/12 pitch and will have a front gable dormer. Other roof details include exposed rafter ends and fascia boards. Roof material will be bronze standing seam tin with aluminum gutters and rain chains. Trim boards and porch columns will be miraTEC. Windows will be aluminum clad wood, double hung, SDL six over 1, with some 4 light casements on west elevation. Pedestrian and garage doors will be wood per attached specifications. Porch lighting per attached specifications. Driveway will be gravel with buffer plantings. Walkway will be stone. Trees to be removed include: All permits, variances, or approvals as required by law must be obtained before work may commence.</p>
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	<p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <ol style="list-style-type: none"> 1. Material samples and tree removal list to be provided by applicant. <p>The guidelines for New Construction found on pages 92-93 and Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval of the proposal.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. The new structure is compatible with the surrounding historic buildings in the district in terms of siting, materials, scale, texture, and fenestration. 2. The attached garage is located behind and beneath the structure, where it is not visible from the right of way.
Applicant(s)	<p>Diana Bellgowan, project architect, submits a tree removal plan, and material samples and specifications (<i>Exhibits H through R</i>). Chair Cole asks for details about the retaining wall. Ms. Bellgowan says it will be 1' to 2' high, and she could move it slightly away from the property line if that is a concern.</p> <p>Chair Cole asks for the reason for removing a large 8" white oak. Ms. Bellgowan says there are driveway concerns with this tree, and other trees are scheduled for removal because of overcrowding (the cluster of trees in the corner of the lot). Ms. Merten notes the applicants will be planting replacement trees, and says their landscape plan is commendable.</p> <p>Ms. Bellgowan shows photographs of other houses in Montford with sidewalks sited in a similar fashion, out the front door and then to the side where they connect with the driveway. She notes there is no sidewalk for the walk to connect to if it came straight to the street.</p> <p>Commissioner Carpenter compliments the overall design, but says staggered edge shingles are not typical for Montford. Ms. Bellgowan says this was the owners' preference, but they are amenable to straight-edge shingles if that is the Commission's decision. Commissioners Stephenson and Nutter speak in favor of the straight edge design, and Chair Cole notes pertaining guidelines.</p> <p>Ms. Bellgowan asks for opinions on the walkway material, which they have not chosen. She asks if that could be staff approved (<i>yes</i>). Chair Cole replies concrete or stone are both acceptable, and says a particular stone sample would need to be approved and the concrete color would need to be toned down with fly ash or a similar treatment. Ms. Bellgowan describes the stucco they want to use, a natural tan warmer tone, not grey acrylic finish. Commissioners ask Ms. Bellgowan to describe the roof material, garage door choices (<i>the arched one is not approved</i>), and the stone for the columns and the retaining wall.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Ms. Merten asks for explanation of the stone samples. Ms. Bellgowan explains these, and the mortar choices.

Ms. Bellgowan asks to amend her application to use straight-edge shingles and to eliminate the arch on the wood garage door.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new construction worksheet; Exhibit B – north and south side streetscapes; Exhibit C – five pages concerning landscape plans, including existing trees, arborist report, proposed landscape plans and plant schedule; Exhibit D –basement, main level and upper level floor plans; Exhibit E – front (south), side (east), rear (north), and side (west) elevations showing details exterior features; Exhibit F – preliminary exterior finish schedule; Exhibit G – specification and sample sheets for roof, rain chain, windows, front doors and door hardware, siding, stucco, stone, stone cap, shingles, front porch light, and rear door; *(the following submitted 3/13/13)*: Exhibit H – proposed tree removal list ; Exhibit I – two photos of stone sample and mortar joints ; Exhibit J – two photos showing proposed stucco treatment; Exhibit K – revised garage door specifications; Exhibit L – photo of standing seam roof sample ; Exhibit M – photos of walkways in neighborhood; Exhibit N – metal roof sample ; O – window casing sample ; Exhibit P – bracket specifications; Exhibit Q – paint color samples; Exhibit R – shingle sample; and the Commission’s actual inspection and review of subject property by all members except Commissioner Cothran;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of February, 2013 and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of February, 2013 as indicated by Exhibits S and T.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct a new 1½ story bungalow style new single family residence with front porch, rear screened porch and rear basement garage per attached approved plans. New structure will have smooth sided horizontal hardi-plank lap siding on first level with straight edge shingles in gable above. Foundation will be smooth stucco over concrete block with stone piers under rear both front and rear porches. Roof will be side gabled with a 7.75/12 pitch and will have a front gable dormer. Other roof details include exposed rafter ends and fascia boards. Roof material will be bronze standing seam tin with aluminum gutters and rain chains. Trim boards and porch columns will be miraTEC. Windows will be aluminum clad wood, double hung, SDL six over 1, with some 4 light casements on west elevation. Pedestrian and garage doors will be wood per attached specifications *(revised 3/13/13)*. Porch lighting per attached specifications. Driveway will be gravel with buffer plantings. Walkway will be stone. Trees to be removed per attached list. Retaining wall will be concrete block covered in stucco with stone cap. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for New Construction found on pages 92-93 and Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:

- a. The new structure is compatible with the surrounding historic buildings in the district in terms of siting, materials, scale, texture, and fenestration.
 - b. The attached garage is located behind and beneath the structure, where it is not visible from the right of way.
 - c. The setback will be in keeping with house on Tacoma Street and more in context with those in Montford Hills.
 - d. Largest specimen trees are being preserved.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Carpenter

Second by: Commissioner Elingburg

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

With the following condition:

1. **Stone samples for walkway and stairs be submitted for staff review.**

Motion by: Commissioner Carpenter

Second by: Commissioner Ross

Vote for: ALL

Agenda Item

Owner/Applicant: Jeanette Syprzak
Subject Property: 41 Starnes Ave.
Hearing Date: February 13, 2013
Historic District: Montford
PIN: 9649.22-8325
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten goes over questions the applicant was asked to address after the Preliminary Hearing and reviews the following report. Her major concern is with the skylights, whether they will be visible. Fence height changes will be submitted at a later date. Artist's rendering is to be removed from Exhibit D.</p> <p>Property Description: Dr. Eugene B. Glenn House. Early 20th century 2½ story vernacular Queen Anne dwelling. Turned porch posts, sawn ornament, multiple gables, asbestos siding. 1906-1907 (D)</p> <p>Certificate of Appropriateness Request: Construct new 10 x 16 ft. screened</p>
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	<p>side porch on west side of house with shed style roof. Porch posts will be turned to compliment front porch posts with 36" high balustrade and pickets 4" on center to match front porch. Porch flooring will be T&G with ceiling open to rafters above. Roof material and paint to match existing house. Install three wood French doors to fit within existing window openings on west side within screened porch area. Rebuild rear stair and construct new deck. Remove existing stairs on rear of structure (north side) and build a new two-story 6' x 15'4" porch with 3/12 shed style roof, deck flooring and stairs down to ground level. Porch posts will be 6' x 6' and railings will match front porch. New porch will be stained Roycroft Vellum to match house trim color. Replace two double hung windows on north side 1st floor with 60" x 80" wood French doors for porch access, all trim to match existing. Construct new wood lattice fence with 6' x 6' posts (6' high x 48' long) connecting house to future garage with two gates and 12' long perpendicular segment to screen trash receptacles. Construct separate enclosed fenced area on west side of structure per attached site plan with gate. Fence will be 4' high on the front facing/south side and a portion of the west side, then transition to 6' along the west side and rear. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <ol style="list-style-type: none"> 1. Skylights should not be visible from a primary right of way 2. Need photographs to justify dual stair from side porch 3. Need shop drawings or specifications for proposed French doors 4. Strike artists rendering #3 of proposed addition from application 5. Description and drawings indicate shed type roof in place? 6. Porch addition on rear should be inset 1 ft. 7. Elevation drawings of rear porch do not match footprint 8. No scale on site plan 9. Rear yard fence description directions are incorrect 10. Site plan should indicate where fence height changes 11. Need fence gate detail (for staff approval) <p>The guidelines for Porches, Entrances and Balconies found on pages 72-73, Windows & Doors found on pages 84-85 and the guidelines for Roofs found on pages 74-75 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval provided concerns are addressed.</p>
<p>Applicant(s)</p>	<p>Jeanette Syprzak, property owner, passes around revised plans for her project (Exhibits O & P). She explains reasons for changes in the roof from shed to hip form, and describes the proposed stairs and landing. She notes the rear porch is inset 1' from the side of the house, and gives revised dimensions. She plans to stain the porch floor, and paint the trim and doors. She explains changes to her fencing plan, based on a new survey. She removes the section of fencing screening the trash cans from her application. She does not think the proposed skylights will be visible. Ms. Merten suggests a design team review onsite when the roof is framed, Ms. Syprzak agrees.</p> <p>Ms. Syprzak shows slides of other houses with two sets of stairs coming from porches. Commissioner Carpenter notes the examples do not match this situation, discussion follows on stair possibilities. Ms. Syprzak says she is amenable to only</p>

	<p>having one staircase.</p> <p>Commissioner Stephenson asks about using the existing door as access to the porch, instead of the proposed French doors. Ms. Spyrzak replies this door goes to a bedroom used by one of her tenants. She explains she wants broad access to the porch from her kitchen. Chair Cole asks if the space for the doors is exactly where the windows are currently, Ms.Spyrzak says yes. She thinks the top framing will remain the same.</p> <p>Chair Cole questions the use of French doors, whether they fit a historical Queen Anne, and why the applicant wants to use three instead of one, instead of leaving some of the windows. She is concerned about removing the three windows, which may be character defining features. She would like to see more detail in the photographs of the proposed doors. The applicant says she used French doors on another property in Montford, and she does not think it should be an issue. Chair Cole replies the concern is with obscuring, and the removal of a character defining feature. She reads from the guidelines about this issue. Ms. Spyrzak argues this would prevent anyone from putting a door where a window had been. Ms. Merten explains the term character defining, noting it changes with each property. Commissioner Carpenter notes a French door may be preferable over a solid door, if a door is allowed.</p> <p>Commissioner Nutter and Commissioner Rizzo comment that more details on the doors, either from manufacturer's specifications or renderings of the door in place, would help determine their appropriateness. Ms. Spyrzak has tried to get more details from the suppliers, to no avail. Commissioner Carpenter objects to using a solid glass door, he does not think it is appropriate to try and make them match the look of the windows, thinks multiple light doors would be better, if any door is allowed.</p>
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Public Comment

Speaker Name	Issue(s)
Michael McDonough	Mr. McDonough suggests having only one operable door and keeping two windows on the sides. He notes the glass area of the windows would be comparable to the glass area on the proposed French doors.

Commission Comments/Discussion

Chair Cole reviews the revisions that have been made to the application. She says it seems the side porch, and the French doors, need further consideration. She asks the applicant to clarify the dimensions of the doors she proposes (30" width, not typical). Ms. Spyrzak says she prefers to have two operating doors and one stationery door. She is not willing to amend the application about this feature. There is further discussion about other doors in the area of the proposed side porch, and whether they would be better to use.

Commissioner Ross says she thinks the three windows are character defining, that the side of the house is in perfect proportion, and if that is the case, the porch should not be allowed. She thinks this part of the application should require a separate vote.

Ms. Merten tells the applicant her options – to remove the side porch from the application, to ask that the side porch portion of the application be continued, or to proceed with a vote on her application as is, with the side porch included.

Attorney Ashley explains the process required to split the application. Ms. Spyrzak agrees to allow the application to be separated, continuing the side porch portion of her application, and asks the Commission to proceed with a vote on the rear porch and fence.

Commissioner Nutter moves to continue the side porch portion of the application. Commissioner Elingburg seconds. ALL approve.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – photographic streetscape; Exhibit C – two photograph of existing house; Exhibit D – three renderings of proposed addition; Exhibit E – site plan showing proposed side porch addition; Exhibit F – drawing with specifications for custom turned post and railing for porch and rear stairs; Exhibit G – photograph of existing posts and rails; Exhibit H – rendering of proposed porch with dimensions; Exhibit I – existing photograph and rendering of proposed stairs with porch roof on second floor; Exhibit J – floor plans for 1st and 2nd floor decks/porches and stairs; Exhibit K – rendering of proposed porches; Exhibit L – drawing showing new shed roof and existing hip roof; Exhibit M – site plan showing proposed fence; Exhibit N – photograph of proposed fence material; Exhibit O – revised packet, 10 pages (*submitted 3/13/13*) ; Exhibit P – survey with fence plan overlay (*submitted 3/13/13*); and the Commission’s actual inspection and review of subject property by all members except Commissioner Cothran;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of February, 2013 and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of February, 2013 as indicated by Exhibits Q and R.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to rebuild rear stair and construct new deck. Remove existing stairs on rear of structure (north side) and build a new two-story 6’ x 15’4” porch with 3/12 hip style roof, deck flooring and stairs down to ground level. Porch posts will be 6’x 6’ and railings will match front porch. New porch will be stained Roycroft Vellum to match house trim color. Replace two double hung windows on north side 1st floor with 64”w x 96”h wood French doors for porch access, all trim to match existing. Construct new wood lattice fence with 6’x 6’ posts (6’ high x 48’ long) connecting house to future garage with two gates. Construct separate enclosed fenced area on west side of structure per attached site plan with gate. Fence will be 4’ high on the front facing/south side and a portion of the west side, then transition to 6’ along the west side and rear. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Porches, Entrances and Balconies found on pages 72-73, Windows & Doors found on pages 84-85, Roofs found on pages 74-75, and Additions found on pages 88-89 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. Changes will be made in the rear of the structure and will not affect or remove any character defining features.
 - b. Addition is inset 1’ from rear building corners and is compatible with the main structure.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Stephenson

Second by: Commissioner Nutter

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**,

With the following condition:

- 1) **Fence gate detail be submitted for staff review.**

Motion by: Commissioner Stephenson

Second by: Commissioner Nutter

Vote for: ALL

Preliminary Review:

None

Other Business:

Request for screening, *Conquest of Canaan*. The Commission reviews a letter from Leah Dean, University Librarian, asking for blanket permission for in-house screenings of a video copy of the movie at UNCA's Special Collections. Ms. Merten and Ms. Gardner answer questions about the movie. Commissioner Nutter moves to allow in-house showings of the video copy of *Conquest of Canaan* at UNCA's Special Collections. Commissioner Carpenter seconds. ALL approve.

Appointment of Executive and Nominating Committees

Ms. Merten reports Commissioner Cook has resigned his position on the Executive Committee. Commissioner Nutter moves to name Commissioner Stephenson to this position. Commissioner Ross seconds. ALL approve.

Ms. Merten says a slate of officers for 2013-14 is being formed by the Nominating Committee, Commissioner Wampler is head of that committee and the vote will take place at the April or May meeting.

Montford Guidelines, update on accessory structures sub-committee. Ms. Merten reports she has received input from subcommittee members Chair Cole and Michael McDonough, and as soon as she can compile this information she will reconvene the committee.

Public Comment. David Patterson asks why the accessory structure sub-committee's process is taking so long, since the committee met on December 12. Ms. Merten replies she has had multiple deadlines that have taken precedence.

Michael McDonough asks to address the Commission. Commissioner Rizzo asks for clarification about

the sub-committee formed to address this issue. Chair Cole answers that there is one, and notes Mr. McDonough serves on the committee, along with Commissioners Cook and Nutter and some other Montford residents. She explains the suggestions that the committee presented still need work to make the wording fit with the rest of the guidelines, so be accessible to neighborhood residents and the general public.

Commissioner Nutter notes the sub-committee was formed in response to widespread neighborhood concern over the size of an accessory structure recently approved at 116 Flint Street. Commissioner Rizzo says she is happy to hear comments on this subject, and looks forward to the full report from the sub-committee.

Mr. McDonough says he wants to emphasize the importance of this discussion, and he understands any changes will have to fit into the structure of the guidelines. He says he has been involved with HRC's process for about twenty years, on both sides, advocating for the Commission as well as for clients. He also owns property in Montford. He says he has sensed an evolution in the process and principles governing scale. He thinks fifteen years ago in the applications he witnessed there was considerably more discussion about scale, and more rigor concerning submittals – storyboards as well as making sure not just the details, but the scale of the building matched the context, with the burden of proof upon the applicant. He says he was not present for the 116 Flint hearings, so he doesn't know how rigorous that process was.

Mr. McDonough states he is currently on the review board for the Village of Cheshire in Black Mountain, and they are seeing a move toward in-fill development, with carving off of lots wherever room is found. Even though houses are getting smaller, they are being crammed onto these small lots. He notes this does not leave any room for trees, stormwater retentions, ground level patios or ornamental landscaping.

He says the momentum for in-fill development is here, and will increasingly be the case for Montford, and the neighborhood needs to get out in front of it and define the character of Montford. He remembers there used to be discussion of stockyard fencing when fencing was discussed, there was no need to discuss picket fencing, which is an edge treatment used in denser environments. He says old photographs show Montford with rolling hills and an agrarian type landscape, with lots of room for big trees and long driveways with carriage houses way in the back of the lots.

Mr. McDonough says all this space will be targeted for in-fill, and the neighborhood and the Commission need to decide how they want to deal with this push. Will Montford be like Charleston, dense with meticulously landscaped spaces between buildings and lots of hardscaping, or will it have lawns and wooded backyards? He thinks the Commission should get involved with this definition.

He says Sanborn maps clearly show that large buildings were on the streets, with smaller structures that support the main buildings strewn in the backyards. He thinks the first step is to decide if these patterns of footprint and 3D scale indicated in the Sanborn maps should define the character of Montford. If so, then that would make the point of whether a building is ancillary, or whether it is on a new flag lot, irrelevant. If it sits behind a main structure, it should be secondary in scale. He notes this definition hung up committee discussions, because the UDO definition of ancillary/accessory structure differs from the Montford guidelines. He notes someone walking by would not know if a structure was on a main lot, or a flag lot. They would simply see if it was compatible in scale. He uses a new structure built on a flag lot on Cumberland Avenue as an example. It is behind a small rancher, and much bigger and thus seems out of scale.

Commissioner Nutter says the current guidelines do not have enough definition to help with decisions on these issues, it simply says on page 35, "typically these buildings (meaning accessory structures) are

smaller in scale than the main house.” Mr. McDonough notes the guidelines also say the scale should be in context.

Mr. McDonough says he advocates for a solution in the middle, he thinks Montford is evolving and will never return to the days of the trolleys, but he doesn’t think it should be allowed to become as dense as Charleston. He urges the Commission not to put off this discussion or decisions. He notes that up until around three years ago, the City did not recognize alleyways as a public way, but now Montford can now have lots carved off that will front on the alley, and new homes will be put on them. He says decisions should be made, such as what defines an alleyway.

Commissioner Nutter notes we are living in a time of ‘smart growth’, and there is increasing pressure for densification in the City. He says as the Commission considers things, they must keep this in mind.

Commissioner Carpenter asks if the subcommittee is headed towards drawing a line in the sand on the size of dependencies. He notes the guidelines are currently very vague, but he doesn’t think it would be wise to be too exact, for example stating they must be precisely 40%. Mr. McDonough notes a ratio couldn’t be used in the case of a flag lot, where there is no primary structure.

Commissioner Nutter says the woman who led the charge against the project at 116 Flint Street pointed to the difficult relationship between the historic district guidelines and the UDO which does have square footage limitations, and he agrees. Ms. Merten says perhaps there needs to be a change in zoning in Montford that would make these decisions easier, maybe the RS8, RM8 and RM16 zonings are too dense. At this point, once a lot is created and meets the requirements, it is difficult for the Commission to deny a building, or limit its size.

Ms. Merten notes that there are many changes going on in City government, and a positive change will be more discussions among commissions. There is a meeting in April for the chairs of all the commissions, and she thinks this would be a good place to address density and zoning concerns.

Commissioner Ross asks what can be done when an application states it is for a garage, but it is clearly going to be used for an apartment. Ms. Merten says the Commission doesn’t control the use, only the outward form, and can’t control subdivision of lots. She notes the 116 Flint Street project was permit approved as single family use, but HRC reviewed it as an accessory structure. She thinks the guidelines were applied correctly for accessory structures.

Mr. McDonough notes there should not be changes made in the guidelines that would force or encourage the subdividing of lots, there should be an effort made to preserve the lot sizes in Montford, as a character defining feature. Commissioner Carpenter agrees.

Chair Cole wonders about the legal issues involved. Attorney Ashley says she is happy to sit in on the subcommittee’s meetings. Ms. Merten says these discussions will continue in the subcommittee’s meetings, and she will present conclusions to the Commission.

Commissioner Ross moves to adjourn the meeting.
Second by: Commissioner Stephenson
Vote for: ALL

The meeting is adjourned at 7:08 pm.